land uses in the Harbors, nearshore discharges, and on-water discharges. The implementation actions described in the *Water Resources Action Plan* (WRAP) adopted by the Port of Los Angeles and the Port of Long Beach represent a range of activities that could be conducted to control discharges of polluted stormwater and contaminated sediments to the Harbors.

To meet necessary reductions in sediment bed loads, a Sediment Management Plan shall be developed by the dischargers assigned a sediment bed load LA, the Cities of Los Angeles and Long Beach and the State Lands Commission. Phase I implementation elements for the improvement of the Harbors' sediment quality should be conducted through the continuation of source reduction, source control, and sediment management. Below are proposed implementations actions that may be implemented in Phase I to improve sediment quality at the ports:

- *Removal of Contaminated Sediment within Areas of Known Concern.* Planned removal programs are in place for IR Site 7 (former Navy facility in the Port of Long Beach) and Berth 240 (former Southwest Marine facility in the Port of Los Angeles). Contaminated sediment will be removed by Port of Long Beach and Port of Los Angeles.

- *Sediment Management Plan, Prioritization Assessment for Contaminated Sediment Management.* Sediment will be evaluated through the Sediment Quality Objective (SQO) process detailed in the Enclosed Bays and Estuaries Plan (i.e., SQO Part 1 as amended). If chemicals within sediments are contributing to an impaired benthic community or toxicity, or fish tissue, then causative agent(s) will be determined using SQO recommended procedures, including SQO Part I (VII. F.). Impacted sediments will be included in the list of sites to be managed. The sites to be managed by the responsible parties will be prioritized for management and coupled with other planned projects when feasible. Prioritized sites shall include known hot spots, including but not limited to Consolidated Slip and Fish Harbor. For these prioritized sites, the sediment management plan shall include concrete actions and milestones, including numeric estimates of load reductions or removal, to remediate these priority areas and shall demonstrate that actions to address prioritized hot spots will be initiated and completed as early as possible during the 20-year TMDL implementation period. This process will prioritize management efforts on sites that have the greatest impact to the overall health of the benthic community and fish tissue, and allow sites with lower risks to be addressed in later phases when opportunities can be coupled to capital projects. As management actions are planned for a contaminated site, site-specific cleanup criteria will be determined following established protocols that are consistent with state and national policy and guidance. The site will then be managed and the improvements confirmed through a sediment monitoring program.

- *Superfund Sites.* Two Superfund sites are located in Dominguez Channel Watershed: the Montrose Superfund Site (DDT) and the Del Amo Superfund Site (benzene). Montrose Superfund Site includes multiple operable units (OUs), which are identified as investigation areas potentially containing site-related contamination. These Superfund Sites are located in a community known as Harbor Gateway, which is situated mostly in the City of Los Angeles and partially in unincorporated land in Los Angeles County. Harbor Gateway lies within the Kenwood Drain subwatershed, which discharges stormwater into Torrance Lateral which flows downstream into saline waters of Dominguez Channel Estuary and Consolidated Slip. The Torrance Lateral,

Dominguez Channel Estuary and Consolidated Slip (OU2) contain sediments contaminated with multiple pollutants including DDT (potentially from various sources). The US Environmental Protection Agency (US EPA) has been working with other government agencies and local agencies including the City of Los Angeles and Los Angeles County to ensure the protection of both the environment and public health in the areas surrounding these Superfund sites.

In August 1999, USEPA and the State of California, which includes the Regional Board, entered into a consent decree concerning the Montrose Superfund site in a case entitled *United States of America and State of California versus Montrose Chemical Corporation of California, et al.*, United States District Court Central District of California, Case No. CV 90-3122-AAH (JRx).

The US EPA has not yet reached a final remedial decision with respect to certain of the Montrose Superfund Site Operable Units (OUs) that remain contaminated with DDT, including the on- and near-property soils (OU1), the current storm water pathway (OU2), and the "Neighborhood Areas" (OU4 and OU6). The TMDL, its waste load and load allocations, and other regulatory provisions of this TMDL may be applicable or relevant and appropriate requirements (ARARs) as set forth in Section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. §§ 9621(d)) for those OUs. Whether provisions within the TMDL are ARARs will be determined in accordance with CERCLA when USEPA develops Records of Decision for the Superfund sites. The TMDL for DDT should be taken into account in the course of the remedial decision-making process. US EPA Superfund does not need to make a remedial decision prior to individual or collective action (by City of LA and/or County of LA) to clean up sediments within the OU2 pathway. The City of Los Angeles and/or Los Angeles County, should they decide to take action that impacts one of the OUs, shall consult with US EPA's Superfund Division in advance of such action. The goal of consultation is to ensure the proposed sediment cleanup will not aggravate the situation or further interfere with the OU2 site. Detection of DDT compounds in water or sediment samples collected within Torrance Lateral shall trigger additional monitoring, by parties to be determined by the Executive Officer, in coordination with EPA, to evaluate potential contribution from contaminated soils related to upstream Montrose operable units discharging via the Kenwood storm drain. Upon reconsideration of the TMDL, all monitoring results for DDT compounds collected by responsible parties or other entities shall be considered as part of source analysis and to determine potential future allocation(s) that may be necessary to minimize impacts to downstream waters and restore beneficial uses in TMDL waterbodies.

- Phase II

Phase II should include the implementation of additional BMPs and site remedial actions in the nearshore watershed and in the Harbors, as determined to be effective based on the success of upstream source control, TMDL monitoring data evaluations, WRAP activities implemented during Phase I, and targeted source reduction activities as identified in Phase I. Responsible parties should develop, prioritize, and implement Phase II elements based on data from the TMDL monitoring program and other available information from special studies. Possible actions include additional structural and non-structural BMPs throughout the watershed.

Phase II should include the implementation of site-specific cleanup actions for areas identified as high priority in the Harbor waters and per the Sediment Management Plan.

- Phase III

The purpose of Phase III is to implement secondary and additional remediation actions as necessary to be in compliance with final waste load and load allocations by the end of the TMDL implementation period.

3. Los Angeles River and San Gabriel River

Responsible parties in these watersheds are implementing other TMDLs, which will directly or indirectly support the goals of this TMDL.

- Phase I

Responsible parties for each watershed shall submit a Report of Implementation to describe how current activities support the downstream TMDL.

- Phases II and III

Implementation actions may be developed and required in Phases II and III as necessary to meet the targets in the Greater Harbor waters. TMDLs to allocate contaminant loads between dischargers in the Los Angeles and San Gabriel Rivers watersheds may also be developed, if necessary.

4. Special Studies and Reconsideration of TMDL Targets, Allocations, and Schedule

This TMDL recognizes that as work to understand these waters and the chemical, physical and biological processes, continues, the targets, allocations, and the flow threshold for wet-weather conditions and the implementation actions to reach those targets and allocations may need to be adjusted. Furthermore, if impairments are identified during flow conditions less than the 90^{th} percentile flow in Dominguez Channel and/or Torrance Lateral, additional allocations for those flow conditions will be developed and applied at the TMDL reconsideration. In addition, it may be necessary to make adjustments to the TMDL to be responsive to new State policies including, but not limited to, SQO Part II; toxicity policy; possible changes to air quality criteria and other regulations affecting air quality.

Optional special studies, which could result in changes to these TMDLs, include but are not limited to: studies to further refine the site specific link between sediment pollutant concentrations, depth of bed sediment contamination and fish tissue concentrations; foraging ranges of targeted fish; additional data to refine watershed and hydrodynamic models, including that collected pursuant to this TMDL; additional data on contaminant contributions of the Los Angeles River or San Gabriel River to Greater Harbor waters; stressor identifications; and additional diazinon data. Completion of studies to further refine the site specific link between sediment pollutant concentrations and fish tissue pollutant concentrations and evaluate the range and habitat of specific fish populations will be used to evaluate changes in TMDL targets, WLAs and LAs, and to guide future implementation actions. In addition, further characterization of direct air deposition loadings for heavy metals and legacy pesticides is an optional special study. Allocations of certain pollutants in certain

waterbodies are confounded by the existing estimates of pollutant loading via direct air deposition onto the waterbodies. Additional monitoring of these pollutants at air sampling sites more closely resembling the respective waterbodies will help characterize these loadings. Limited data exist for dry deposition so this study could be extended over longer timeframes. Measurements of wet deposition for each pollutant may also be appropriate to estimate air deposition more completely. Study results could provide data to reconsider pollutant-specific allocations in this TMDL.

Detection of DDT compounds in water or sediment samples collected within Torrance Lateral shall trigger additional monitoring, by parties to be determined by the Executive Officer, in coordination with EPA, to evaluate potential contribution from contaminated soils related to upstream Montrose operable units discharging via the Kenwood storm drain. Upon reconsideration of the TMDL, all monitoring results for DDT compounds collected by responsible parties or other entities shall be considered as part of source analysis and to determine potential future allocation(s) that may be necessary to minimize impacts to downstream waters and restore beneficial uses in TMDL waterbodies.

As allocation-specific data are collected, interim targets for the end of Phase II may be identified.

The TMDL will be reconsidered by the Regional Board at the end of Phase I to consider completed special studies or policy changes.

5. Compliance with Allocations and Attainment of Numeric Targets

Compliance with the TMDL shall be determined through water, sediment, and fish tissue monitoring and comparison with the TMDL waste load and load allocations and numeric targets. Compliance with the sediment TMDL for metals and PAH compounds shall be based on achieving the loads and waste load allocations or, alternatively, demonstrating attainment of the SQO Part 1 through the sediment triad/multiple lines of evidence approach outlined therein. Compliance with the TMDLs for bioaccumulative compounds shall be based on achieving the assigned loads and waste load allocations or, alternatively, by meeting fish tissue targets. If at any point during the implementation plan, monitoring data or special studies indicate that load and waste load allocations will be attained, but fish tissue targets may not be achieved, the Regional Board shall reconsider the TMDL to modify the waste load and load allocations to ensure that the fish tissue targets are attained.

The compliance point for the stormwater WLAs shall be at the storm drain outfall of the permittee's drainage area. Alternatively, if stormwater dischargers select a coordinated compliance monitoring option, the compliance point for the stormwater WLA may be at storm drain outfalls or at a point in the receiving water, which suitably represents the combined discharge of cooperating parties discharging to Dominguez Channel and Greater Los Angeles and Long Beach Harbor waters. Depending on potential BMPs implemented, alternative stormwater compliance points may be proposed by responsible parties subject to approval by the Regional Board Executive Officer. The compliance point(s) for responsible parties receiving load allocations shall be in the receiving waters or the bed sediments of the Dominguez Channel and the Greater Los Angeles and Long Beach waters.

6. Application of Allocations to Responsible Parties

Responsible parties for monitoring and to attain LAs and WLAs for this TMDL include but are

not limited to:

1. Dominguez Channel Responsible Parties
   - Dominguez Channel, Torrance Lateral, and Dominguez Channel Estuary MS4 Permittees
     - Los Angeles County
     - Los Angeles County Flood Control District
     - Caltrans
     - City of Carson
     - City of Compton
     - City of El Segundo
     - City of Gardena
     - City of Hawthorne
     - City of Inglewood
     - City of Lawndale
     - City of Long Beach
     - City of Los Angeles
     - City of Manhattan Beach
     - City of Redondo Beach
     - City of Torrance
   - Individual and General Stormwater Permit Enrollees
   - Other Non-stormwater Permittees
   - Dominguez Channel Estuary Subgroup for bed sediment and fish:
     - Los Angeles County
     - Los Angeles County Flood Control District
     - Caltrans
     - City of Carson
     - City of Compton
     - City of Gardena
     - City of Los Angeles
     - City of Long Beach
     - City of Torrance

2. Greater Los Angeles and Long Beach Harbor Waters Responsible Parties
   - Greater Los Angeles and Long Beach Harbor Waters MS4 Permittees
     - Los Angeles County
     - Los Angeles County Flood Control District
     - Caltrans
     - Bellflower
     - City of Lakewood
     - City of Long Beach
     - City of Los Angeles
     - City of Paramount
     - City of Signal Hill
     - City of Rolling Hills
     - City of Rolling Hills Estates
     - Rancho Palos Verdes
   - City of Los Angeles (including the Port of Los Angeles)
   - City of Long Beach (including the Port of Long Beach)
   - State Lands Commission

	• Individual and General Stormwater Permit Enrollees • Other Non-stormwater Permittees, including City of Los Angeles (TIWRP) • Los Angeles River Estuary Subgroup for bed sediment and fish: ➢ Los Angeles County ➢ Los Angeles County Flood Control District ➢ City of Long Beach ➢ City of Los Angeles ➢ City of Signal Hill ➢ Caltrans • Consolidated Slip Responsible Parties subgroup[4] ➢ Consolidated Slip MS4 Permittees ▪ Los Angeles County ▪ Los Angeles County Flood Control District ▪ City of Los Angeles 3. Los Angeles River and San Gabriel River Watershed TMDLs Responsible Parties ➢ Los Angeles River and San Gabriel River metals TMDLs responsible parties (For list of responsible parties, see Chapter 7-13 herein and US EPA, "Total Maximum Daily Loads for Metals and Selenium: San Gabriel River and Impaired Tributaries", March 26, 2007.)

4 US EPA is the regulatory oversight agency pursuant to CERCLA with respect to the two Superfund sites within the Consolidated Slip subarea, but is not identified as a Responsible Party under the TMDL. As the regulatory oversight agency, US EPA is responsible for choosing an appropriate remedy for these sites. Furthermore, under CERCLA, US EPA is responsible for assuring that the CERCLA PRPs clean up the site in compliance with CERCLA and applicable or relevant and appropriate requirements (ARARs) (CERCLA section 121(d)).

Table 7-40.2 Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL: Implementation Schedule

Task Number	Task	Responsible Party	Deadline
1	Interim allocations are achieved.	All Responsible Parties	Effective date of the TMDL
2	Submit a Monitoring Plan to the Los Angeles Regional Board for Executive Officer approval.	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties; Consolidated Slip Responsible Parties subgroup; Los Angeles and San Gabriel River Responsible Parties	20 months after effective date of the TMDL
3	Implement Monitoring Plan	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties; Consolidated Slip Responsible Parties subgroup; Los Angeles and San Gabriel River Responsible Parties	6 months after monitoring plan approved by Executive Officer.
4	Submit annual monitoring reports to the Los Angeles Regional Board.	All Responsible parties	15 months after monitoring starts and annually thereafter
5	Submit an Implementation Plan and Contaminated Sediment Management Plan (CSMP). The Implementation Plan and CSMP shall be circulated for public review for 30 days. The CSMP shall include concrete milestones with numeric estimates of load reductions or removal, including milestones for remediating hot spots, including but not limited to Dominguez Channel Estuary, Consolidated Slip and Fish Harbor, for Executive Officer approval. The Executive Officer shall consider the Consent Decree for the Montrose Superfund site in determining whether to approve the CSMPs.	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties; Consolidated Slip Responsible Parties subgroup	2 years after effective date of the TMDL
6	Submit Report of Implementation to the Los Angeles Regional Board.	Los Angeles and San Gabriel River Responsible Parties	2 years after effective date of the TMDL
7	Submit annual implementation reports to the Los Angeles Regional Board. Report on implementation progress and demonstrate progress toward meeting the assigned LAs and WLAs.	All Responsible parties	3 years after effective date of the TMDL and annually thereafter
8	Complete Phase I of TMDL Implementation Plan and Sediment Management Plan.	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties;	5 years after effective date of the TMDL

Task Number	Task	Responsible Party	Deadline
		Consolidated Slip Responsible Parties subgroup	
9	Submit updated Implementation Plan and Contaminated Sediment Management Plan.	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties; Consolidated Slip Responsible Parties subgroup	5 years after effective date of the TMDL
10	Regional Board will reconsider targets, WLAs, and LAs based on new policies, data or special studies. Regional Board will consider requirements for additional implementation or TMDLs for Los Angeles and San Gabriel Rivers and interim targets and allocations for the end of Phase II.	Regional Board	6 years after the effective date of the TMDL
11	Report on status of implementation and scope and schedule of remaining Phase II implementation actions to Regional Board.	All Responsible parties	10 years after the effective date of the TMDL
12	Complete Phase II of TMDL Implementation Plan and Sediment Management Plan.	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties; Consolidated Slip Responsible Parties subgroup	15 years after effective date of the TMDL
13	Complete Phase III of TMDL Implementation Plan and Sediment Management Plan.	Dominguez Channel Responsible parties; Greater Harbors Responsible Parties; Consolidated Slip Responsible Parties subgroup	20 years after effective date of the TMDL
14	Demonstrate attainment of LAs and WLAs using the means identified under Waste Load and Load Allocations in Table 7-40.1	All Responsible parties	20 years after effective date of the TMDL